

K Great Brit Geo II

Read 7 Feb. 1755 in Lords


[1]

Enacted 28 Geo II. Private Acts, c. 14.

32.

212. R. 5
32

An ACT for Vesting certain Houses and Tenements at Wendover, in the County of Bucks, late the Estate of John Hampden, Esquire, in Trustees, to be sold; and for applying the Purchase-money, in such manner as the Residue of his personal Estate is, by his Will, directed to be applied.

 Whereas John Hampden, late of Great Hampden, in the County of Bucks, Esquire, being seised of, or intitled to, the Manor or Manors, or reputed Manor or Manors, of Wendover Borough and Wendover Forrence, in the County of Bucks, made his last Will and Testament in Writing, bearing Date the Twenty-second Day of May One thousand Seven hundred and Fifty-three; and thereby gave and devised unto his Niece Charlotte Kempthorn a yearly Rent-charge of Two hundred Pounds, for her Life, to be issuing out of all his Manors, Lands, and Hereditaments, by Quarterly Payments; and, subject to, and charged with, the Payment of the said Rent-charge, he gave and devised the Reversion and Inheritance expectant, on Failure of Issue Male of his own Body, of and in all his Manors, Messuages, Lands, Tenements, and Hereditaments, in the County of Bucks, unto the Right Honourable Anthony Lord Feversham, and Sir George Lee, Knight, and their Heirs, to the Use of Robert Trevor, of Albemarle-street, in the County of Middlesex, Esquire,

A

Esquire, for his Life; Remainder to the said Lord *Feversham*, and Sir *George Lee*, and their Heirs, during the Life of the said *Robert Trevor*, in Trust to preserve the contingent Remainders; and, after his Decease, to the Use of *Thomas Trevor*, eldest Son of the said *Robert Trevor*, for his Life, with the like Limitation to Trustees to preserve the contingent Remainders; and, after the Death of the said *Thomas Trevor*, to the Use of the First and every other Son of his Body lawfully to be begotten, successively, in Tail Male; Remainder to the Use of *John Trevor*, Second and youngest Son of the said *Robert Trevor*, for his Life, with the like Provision for preserving the contingent Remainders; and, after the Death of the said *John Trevor*, to the Use of the First and every other Son of his Body, lawfully to be begotten, successively, in Tail Male; Remainder to the Use of the Third, Fourth, Fifth, Sixth, Seventh, Eighth, and all and every other Son of the Body of the said *Robert Trevor*, lawfully to be begotten, successively, in Tail Male; with Remainder to the Use of *George Hobart*, Second Son of the Right Honourable *John Earl of Buckinghamshire*, for his Life, with the like Provision for preserving the contingent Remainders; and, after his Death, to the Use of the First and every other Son of his Body, lawfully to be begotten, successively, in Tail Male; Remainder to *Henry Hobart*, Third Son of the said Earl, for his Life, with the like Provision to preserve the contingent Remainders; and, after his Death, to the Use of the First and every other Son of his Body, lawfully to be begotten, successively, in Tail Male, with the last Remainder in Fee-simple, to the Use of the said *Robert Trevor*, his Heirs, and Assigns: In which said Will is contained a Proviso, or Declaration, purporting, amongst other Things, That the said *Robert Trevor*, and his said Two Sons, and all other Persons, who, by virtue of the Limitations of the said Will, should, from time to time, come or be intitled to the actual and immediate Possession of the said Manors, Lands, Hereditaments, and Premises, should, within One Calendar Month next after he should so come or be intitled to the Possession of the said Manors, Lands, and Premises, take upon him the Surname of *Hampden*, and no other Surname whatsoever, and bear and take the same Arms that were then used by the said Testator: And he gave and devised his Messuage, or Tenement, with the Appurtenances, situate at *Hampton*, in the County of *Middlesex*, to his Executors therein after named, and their Heirs, in Trust, to be sold and disposed of: And his Will was, that the Money arising by Sale thereof, and also by the Sale of all the Goods, Pictures, and Furniture therein, which he thereby also directed to be sold, should be applied in the same manner as the Residue of his personal Estate is thereby directed to be applied and disposed of; and he appointed *George Sawyer*, Esquire, since deceased, and *John Upton*, of the Parish of *Saint George, Hanover-Square*, Esquire, Executors of his said Will: And he directed, that his Executors should, as soon as conveniently might be after his Death, lay out all the Residue of his personal Estate, and all the Money arising by Sale of his said Messuage or Tenement at
Hampton

Hampden aforesaid, in the Purchase of Manors, Messuages, Lands, Tenements, or Hereditaments, in or near the County of *Bucks*; and that the same, when purchased, should be conveyed or settled to and upon the same Persons, and to and upon the same Uses and Trusts, and subject to the same Provisoos, Conditions, and Limitations, as his other Manors, Messuages, Lands, and Hereditaments, are by his said Will devised, settled, limited, or appointed:

And whereas the said *John Hampden*, the Testator, died on or about the Fourth Day of *February* One thousand Seven hundred and Fifty-four; and, upon his Death, the real Estate and Premises in the County of *Bucks*, devised by his Will, vested in, and came into the Possession of, the said *Robert Trevor*, for his Life, with such Remainders over as before-mentioned; and the said *Robert Trevor*, ever since his being in Possession thereof, hath, in Compliance with, and Conformity to, the Direction of the said Will, taken upon himself, and used, the Surname and Coat of Arms of the Testator:

And whereas the said Estate at *Wendover* consists partly of sundry Tenements and Cottages, which produce a very little Income, and the supporting and keeping the same in Repair is attended with a constant and considerable Expence; and as there is now a fair Opportunity of disposing thereof to Advantage, the said *Robert Hampden*, formerly called *Robert Trevor*, and the said *John Earl of Buckinghamshire*, do propose, and are willing and desirous, that the Premises should be sold, and the Money arising by such Sale laid out in the Purchase of an Estate of a more certain Income, to be settled to the Uses and for the Purposes of the said Will; and the said *Robert Hampden*, and *John Earl of Buckinghamshire*, are satisfied that such Sale and Disposition will be for the Benefit and Advantage of all the Persons interested in the Premises under the said Will; and the said *Charlotte Kemptborne* being satisfied that the Estate and Hereditaments, charged by the said Will with the yearly Rent of Two hundred Pounds for her Life (exclusive of the Premises so proposed to be sold) are a sufficient Fund for the securing, answering, and paying, the said yearly Rent, doth consent, and is willing, that the same Premises should be released, exonerated, and discharged of and from the said yearly Rent, and all the Remedies and Powers vested in her for securing and recovering the same; But as such Sale for the Purposes aforesaid cannot be effected, without the Aid and Authority of an Act of Parliament;

Therefore your MAJESTY's most dutiful and loyal Subjects, the said *Robert Hampden*, for himself, and on the behalf of the said *Thomas Trevor* and *John Trevor*, his Two Sons, who are both Infants, and also the said *John Earl of Buckinghamshire*, ~~for himself, and~~ on the behalf of the said *Henry Hobart*, his youngest Son, an Infant, *and the said* *Hobart*

Do

Do most humbly beseech Your MAJESTY,

or late

That it may be **Enacted**; And be it **Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all that Messuage or Tenement situate, lying, and being, at *Wendover*, in the County of *Bucks*, heretofore purchased of *William Christmas*, and now in the Tenure or Occupation of *James Atkins*, his Assigns or Under-tenants; and also all the Eleven several Messuages or Tenements in *Wendover* aforesaid, lately purchased by the said *John Hampden*, the Testator, of and from Sir *John Danvers*, Baronet, and now, in the several Tenures or Occupations of *William Smith*, *William Cosier*, *Ralph Hall*, *John Stapp*, *George Eglet*, *Thomas Charge*, *John Payne*, *Henry Harding*, the Widow *Boughton*, *Thomas Moors*, and *William Dearing*, their respective Assigns or Under-tenants; and also all those Five several Messuages or Tenements in *Wendover* aforesaid, lately purchased, by the said *John Hampden*, of and from *Mr Christmas*, and now in the several Tenures or Occupations of *William Fellows*, *William Chapman*, *Edward Dorrell*, *John Chapman*, and *Henry Sly*, their respective Under-tenants or Assigns; and also all those Thirteen several Messuages or Tenements in *Wendover* aforesaid, lately also purchased by the said *John Hampden*, of and from *John Ball*, and now in the several Tenures or Occupations of *William Miles*, *Richard Staple*, and *Thomas Philips*, their respective Assigns or Under-tenants; and also all those Thirteen several Messuages or Tenements, in *Wendover* aforesaid, lately also purchased, by the said *John Hampden*, of and from *Nicolas Juson*, and now in the several Tenures or Occupations of the Widow *Hall* and *Thomas Holdam*, their respective Assigns or Under-tenants; and also all those Thirteen several Messuages or Tenements, in *Wendover* aforesaid, also lately purchased, by the said *John Hampden*, of and from *John Crawley*, and now in the Tenure or Occupation of *John Stevens*, the Widow *Tibbe*, *John King*, their Assigns or Under-tenants; and also all those seven several Messuages or Tenements, in *Wendover* aforesaid, lately purchased, by the said *John Hampden*, of and from *Thomas Godman*, *Allen Juson*, *Thomas Gwillim*, *Luke Norcott*, *Peter Bradbury*, *Edward Mead*, Mrs. *Vere*, *George Charge*, *Joseph Dancer*, the Parish-Officers of *Wendover* aforesaid, and the Lord of the Manor of *Wendover*, respectively, and now in the several Tenures or Occupations of *James Caudrey*, *John Sly*, *Daniel De*, *John Brill*, *Thomas Parnham*, *Samuel Moors*, *Samuel Vere*, *George Charge*, *Joseph Dancer*, the Widow *Charge*, and *William Moore*, their respective Assigns or Under-tenants; and also all those Two Messuages or Tenements, at *Wendover* aforesaid, newly erected and built on a Garden Ground, formerly purchased of *John Crawley*, Esquire, and now in the Tenure of *John Allen*, fronting to the High Turnpike-Road there, the Street called *Preston End*, and the East End thereof adjoining or contiguous

ous to the said *John Allen's* great Barn; and the West End thereof
 ins, or is next, to a Blacksmith's Shop, of or belonging to *John*
 ; and Two small Pieces of Ground lying behind, and used with,
 said Two Messuages; and also all that One other new-erected Mes-
 or Tenement, at *Wendover* aforesaid, now in the Tenure of *John*
 ders, situate, standing, and being, upon the Waste in the said Street
 and *Preston End*, and fronting the said High Road, opposite the said
 last-mentioned new-erected Messuages or Tenements, and adjoining,
 near, to a House called *Dundee*, of or belonging to the Right Honour-
 Ralph Earl of *Verney*, on the West, and on the said Street called
 son End on the East; and also all Outhouses, Edifices, Buildings,
 as, Stables, Yards, Gardens, Orchards, Lands, Ways, Passages, Wa-
 Watercourses, Lights, Easements, Profits, Privileges, Heredita-
 ts, and Appurtenances, whatsoever, to the said several Messuages or
 ements belonging, or in any-wise appertaining, or to or with the
 e, or any Part thereof, used, held, occupied, or enjoyed, or accepted,
 ted, taken, or known, as Part, Parcel, or Member, thereof, or of
 Part thereof, and the Reversion and Reversions, Remainder and Re-
 ders, Rents, Issues, and Profits, of all and singular the same Premises,
 ll, from and after the Twenty-fifth Day of *March* One thousand
 en hundred and Fifty-five, be settled upon, and vested in, and the
 e are hereby from thenceforth settled upon, and vested in, the said
 hony Lord *Feversham*, and the Right Honourable the said Sir *George*
 their Heirs and Assigns, to the Use of the said *Anthony* Lord
 rsham, and Sir *George Lee*, their Heirs and Assigns, for ever, freed
 discharged, and absolutely acquitted, exempted, exonerated, and
 emnified, of, from, and against, the said Annuity or yearly Rent-
 ge of Two hundred Pounds, and all Remedies and Powers for se-
 ing and recovering the same; and also of, from, and against, all and
 ry the Uses, Estates, Trusts, Powers, Provisoos, and Limitations, in
 by the said recited Will of the said *John Hampden*, limited, created,
 vided, and declared, of and concerning the same; but, nevertheless,
 on the Trusts, and to and for the Ends, Intents, and Purposes, and sub-
 to the Provisoos and Declarations, herein after-mentioned, expressed,
 d declared, of and concerning the same; that is to say, Upon Trust,
 at they the said *Anthony* Lord *Feversham*, and Sir *George Lee*, or the Sur-
 vor of them, or the Heirs of such Survivor, do and shall, with all con-
 nient Speed, sell and dispose of the said Messuages or Tenements, and
 ortgages, Hereditaments, and Premises, hereby vested in them, as afore-
 d, or any Part or Parts thereof, unto any Person or Persons that shall
 willing to become Purchaser or Purchasers thereof, for the most
 money, and best Price and Prices, that they can get for the same.

And it is hereby further Enacted and Declared, by the Autho-
 y aforesaid, That the Money arising, and to be produced, by such Sale
 Sales, shall be paid unto the said *John Upton*, the surviving Executor
 B of

of the Will of the said *John Hampden*, in case he shall be then living but, in case he shall be then dead, to such Person or Persons as shall then the legal Representative of the said *John Hampden* the Testator, with respect to his personal Estate, in order, and to the Intent, that the same may be laid out, applied, and disposed of, in such and the same Manner and for the same Purposes, as the Residue of the personal Estate of the said *John Hampden* the Testator is, in and by his said Will, directed and appointed to be applied and disposed of; and that the Receipt and Receipts of the said *John Upton*, or of such legal Representative of the personal Estate of the said *John Hampden*, as aforesaid, for the Time being, under his or their Hands or Hand respectively, shall, from time to time, be a good and effectual Discharge to the Purchaser or Purchasers of the said Premises, or of any Part or Parts thereof, for so much of the said Purchase-money for which such Receipt or Receipts shall be given; and after such Receipts, such Purchaser and Purchasers shall be, and he, she, and they, respectively, are hereby absolutely acquitted and discharged and from the same; and shall not be answerable or accountable for any Loss, Misapplication, or Nonapplication, of the said Purchase-money or any Part thereof.

And it is hereby further Enacted and Declared, That the several Trustees acting under the Trusts and Authorities of this Act shall not, nor shall any them, nor the Heirs, Executors, or Administrators, of any of them, be answerable or accountable for any Money to be received by virtue of or under the Trusts hereby in them reposed, any otherwise than each Person, for such Sum and Sums of Money as he shall respectively actually receive; and that no one of them shall be answerable or accountable for the Acts, Receipts, Neglects, or Defaults, of the other of them: And also that they the said Trustees, their respective Heirs, Executors, and Administrators, shall and may, by and out of the Rents and Profits of the Premises hereby vested to be sold, as aforesaid, or out of the Monies arising by such Sale, retain to and reimburse themselves all reasonable Costs, Charges, and Expences, that they respectively shall or may sustain or be put into, in and about the Execution of the Trusts hereby in them reposed.

Saving always to the KING's most Excellent MAJESTY, his Heirs and Successors, and to all and every Person and Persons, Bodies Politick and Corporate, his, her, and their, Heirs, Successors, Executors, and Administrators (Other than and except the said *Robert Hampden*, formerly called *Robert Trevor*, *Thomas Trevor* and *John Trevor*, his Sons *George Hobart* and *Henry Hobart*, and the respective First and every other Sons of the said *Robert Hampden*, *Thomas Trevor*, *John Trevor*, *George Hobart*, and *Henry Hobart*, and the Heirs Male of the respective Bodies of such Sons; and the Heirs of the said *Robert Hampden*, and all other Person and Persons claiming, or to claim, any Estate, Use, Trust, Right, Title

Title, Property, Benefit, or Interest, of, in, to, or out of, the said Moiety and Premises vested by this Act, or any Part thereof, by virtue of or under the said Will of the said *John Hampden*); All such Estate, Right, Title, Interest, Claims, and Demands, whatsoever, of, in, to, or out of, the Premises hereby vested, every or any Part thereof, as they, every or any of them, had before the Passing of this Act, or could or might have had and enjoyed, in case this Act had not been made.

and Tenements at Wendover, in
the County of Bucks, late the Estate
of John Hampden, Esquire, in
Trustees, to be sold; and for ap-
plying the Purchase-money, in such
manner as the Residue of his per-
sonal Estate is, by his Will, di-
rected to be applied.

[1755.]

✓

